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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/840,350	04/23/2001	Albert G. Pinto	PINTO-002A	3459

7663 7590 08/03/2004

STETINA BRUNDA GARRED & BRUCKER  
75 ENTERPRISE, SUITE 250  
ALISO VIEJO, CA 92656

EXAMINER
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STRANGE, AARON N

ART UNIT	PAPER NUMBER
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2153

DATE MAILED: 08/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/840,350

**Applicant(s)**

PINTO ET AL.

**Examiner**

Aaron Strange

**Art Unit**

2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- 1) ☐ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1,3-5,10,11,12,15 and 16 are rejected under 35 U.S.C. 102(a) as being anticipated by Hotline Communications (“Hotline Basic”).

3. With regard to claim 1, Hotline Communications (Hotline, hereafter) discloses method for viewing and interacting with category specific data in a category specific browser, the method comprising:

a. generating a category specific browser user interface (Hotline Connect client interface) (Page 1);

b. displaying the category specific browser user interface on a client computer (Page 1, Lines 1-5);

c. establishing a dedicated connection between the client computer and a server computer (Page 3), the server computer comprising a category specific database that stores the category specific data (Page 13, Lines 1-3 and Page 14, Lines 1-4), the dedicated connection between the client computer and the server computer preventing the category specific browser from receiving data from any source other than the server (client only connects to one server at a time) (Page 3), a plurality of client computers each having respective dedicated connection to the server computer forming a targeted

community wherein each client computer is a member of the targeted community and members of the targeted community all have access to the same category specific data (Multiple users are on the server) (Page 6, Lines 1-4);

d. in response to a user request at the client computer:

iii. receiving the selected category specific data via the dedicated connection to the server (file is loaded from server) (Page 13, Lines 15-16 and Page 14, Line 8) ; and

iv. displaying the selected category specific data in the category specific browser user interface (Pages 13-14).

While the steps of formatting and transmitting a query to the server for retrieving a selected category specific data are not specifically disclosed, they are inherent. The request must be formatted and transmitted to the server in order to retrieve the data for display and these limitations are present in the system disclosed by Hotline, despite the lack of a specific reference to them.

4. With regard to claim 3, Hotline further discloses:

a. in response to a user request (Click on chat icon) (Page 1), initiating a chat mode with one or more other members of the targeted community, the client computer and the one or more other members of the targeted community each simultaneously having a respective dedicated connection to the server, the chat mode excluding clients that do not have a dedicated connection to the server (Pages 4-9); and

b. while in the chat mode:

- i. forwarding user input received via a user input device to the server for transmission to the one or more other members of the targeted community (Page 5); and
  - ii. receiving data from one or more other members of the targeted community via the server and displaying the received data in the category specific browser user interface (Page 4).
- 5. With regard to claim 4, Hotline further discloses that the category specific database comprises data for a plurality of categories (Different files are placed in categories such as screen shots, technical manuals, test files, etc.) (Pages 13-14).
- 6. With regard to claim 5, Hotline further discloses that the category specific browser can display data from multiple categories (Browser supports several different file types such as images, text, and movies from the different categories) (Pages 13-14).
- 7. With regard to claim 10, Hotline further discloses that the category specific data comprises video data (Quicktime movie files) (page 14).
- 8. With regard to claim 11, Hotline further discloses that the category specific data comprises audio data (mp3 files) (Page 14, Line 6).
- 9. With regard to claim 12, Hotline further discloses providing a generic category specific browser user interface having a first appearance (Page 1); and in response to a user configuration command (Click next ad button), modifying the generic category specific browser user interface to have a second appearance as defined by the user configuration command (Display a different ad in the banner space) (Page 1).

10. With regard to claim 15, Hotline further discloses displaying news in the category specific browser in addition to the category specific data (Pages 10-12).

11. With regard to claim 16, Hotline discloses a system for viewing and interacting with category specific data, the system comprising: a category specific browser that displays category specific data (Hotline Connect Client) (Page 1); and establishing an exclusive connection to the server that prevents the category specific browser from receiving data from source other than the server (Client connects to one server at a time)(Page 3). While Hotline fails to specifically disclose an external interface that transmits and receives data to and from the server, this limitation is inherent. Since the client connects to, communicates with, and receives data from the server, an external interface must be present to handle the communication. Therefore, this limitation is present in the system disclosed by Hotline, despite the lack of a specific reference to it.

***Claim Rejections - 35 USC § 103***

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hotline Communications ("Hotline Basic") in view of David Wells.

14. With regard to claim 2, while the system disclosed by Hotline shoes substantial features of the claimed invention (discussed above), it fails to disclose that the

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transmissions over the dedicated connection between the client computer and the server are encrypted.

Wells teaches that encryption can be used on data streams for the purpose of protecting the data from unauthorized access. This would be an advantageous addition to the system disclosed by Hotline since it would provide additional security for sensitive documents in a community. This would allow the system to be deployed in a company situation where confidential information is exchanged. Use of encryption would prevent the confidential information from being viewed by unauthorized users.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to encrypt the transmissions over the dedicated connection between the client computer and the server. This would protect confidential information from being accessed by unauthorized users and allow the system to be deployed in an environment where confidential information needs to be exchanged.

15. Claims 6-8 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hotline Communications ("Hotline Basic") in view of Peppel (US 6,200,216).

16. With regard to claims 6-8 and 17, while the system disclosed by Hotline shoes substantial features of the claimed invention (discussed above), it fails to disclose that the category specific data comprises electronic trading cards relating to personalities or, more specifically, sports personalities.

Peppel teaches a method of collecting, trading, and creating electronic trading



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cards of sports personalities. Using a similar system to Hotline, Peppel discloses that a user connects to an on-line service that handles the electronic trading cards, and can then perform several operations such as purchasing, trading, requesting, and creating electronic trading cards (Col 7, Lines 3-26). Using electronic trading cards as the content specific data in the system disclosed by Hotline would allow users to collect, trade, and create the cards as disclosed by Peppel in an enhanced environment providing chat, news, and other features related to electronic sports cards. This would enhance the user experience by creating a more interactive environment for trading electronic trading cards.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use electronic trading cards as the content specific data in order to provide a more interactive environment for trading electronic trading cards.

17. Claims 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hotline Communications ("Hotline Basic") in view of Kukkal et al.

18. With regard to claim 9, while the system disclosed by Hotline shoes substantial features of the claimed invention (discussed above), it fails to disclose that the category specific data comprises information about a specific business entity.

Kukkal et al. (Kukkal, hereafter) teaches a system of collecting electronic business cards from participants in an online conference and making them available to other participants (Col 2, Lines 23-51). This allows the conference participants to obtain contact information and business information about other participants easily. This would

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be an advantageous addition to the system disclosed by Hotline, particularly when the community relates to a specific type of business. The users can exchange electronic business cards with other participants to build business relationships through the community.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use information regarding specific business entities for the content specific data since it would allow users to join a community of other businesses and exchange information in order to build business relationships with other members of the community.

19. Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hotline Communications ("Hotline Basic") in view of Novak et al. (US 2002/0101444).

20. With regard to claims 13 and 14, while the system disclosed by Hotline shoes substantial features of the claimed invention (discussed above), it fails to disclose that the second appearance comprises a different logo or a different set of user controls than the first appearance.

Novak et al. (Novak, hereafter) teaches the customization of a software user interface to change the interface so it meets the desires and/or needs of the current user. This can allow a user of the software to develop a unique interface that is aesthetically and/or functionally pleasing to them. Novak discloses the changing of logos in order to provide identification such as identifying a particular business that sells

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music (Paragraph 59). Novak also discloses that the user controls can be customized to provide a more unique application (Paragraph 57).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the user to customize the user interface of the client disclosed by Hotline by changing a logo such as a logo representing the user's company as well as change the appearance and location of the user controls. This allows the user to customize the program to make it more aesthetically pleasing or to make it easier to use by customizing the controls.

### ***Conclusion***

21. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron Strange whose telephone number is 703-305-8878. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on 703-305-4792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ANS 7/23/2004

*Bradley Edelman*

A.U. 2153